IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FIRST DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 16414 of 2001

Between:

M/s Subbaraya Constructions,

rep. by its Managing Partner Smt. P. Nirmala Devi,

W/o P.S.R. Patrudu, R/o 50-13-27/52, II Floor,

Plot No. 52, Balaji Apartments, Sai Balaji Housing Complex,

Seethamapeta, Visakhapatnam.

..... PETITIONER

AND

1 The Union of India, rep. by its Principal Secretary (Law),
New Delhi.

2 Nandula R.S.S.S.V.Kumar, S/o. Venkata Subba Rao,
Plot No.10, Gautam Nagar, Vapagunta,
Vizag.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ of Certiorari by declaring the power of penalties U/s 27 of the Consumer protection Act (Act 68/86) without contemplating the procedural Rules thereunder, is violative of Art 14, 19 & 21 of the Constitution of India, and consequently declare the action of the District Consumer Forum, Visakhapatnam in issuing warrant of arrest in

P.P.No. 249/2000 in C.D. 87/2000 to the Managing partner of petitioner construction who is woman, without following the procedure known to law is highly arbitrary, unjust and is opposed to the principles of natural Justice and quash the same and to pass such other or further orders as this Hon'ble Court may deem fit.

For the Petitioner: SMT. D.PRASANNA KUMARI, Advocate.

For Respondent No. 1: Mr. A. Rajashekar Reddy, Senior Central Government Standing Counsel.

For Respondent No. 2: MR.K.V.SUBRAMANYA NARASU, Advocate.

The Court made the following Order: (per Sri B. Sudershan Reddy, J)

The subject matter that arises for consideration in this writ petition is squarely covered by the decision rendered by a Full Bench of this Court in **C.V. Ratnam v. Union of India and others**.

Following the said Judgment, this Writ Petition shall stand dismissed without any order as to costs.

(B. Sudershan Reddy, J)

01..11..2004

(K.C. Bhanu, J)

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ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Principal Secretary (Law), Union of India,
New Delhi.

2 The President, District Consumer Forum, Visakhapatnam.

3 Two CD copies.